

*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: MAY 28, 2009****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: ABEYANCE - SDR-33761 - APPLICANT/OWNER: CASA SUITES, LLC**

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**\*\* CONDITIONS \*\*****STAFF RECOMMENDATION: DENIAL.** If Approved, subject to:**Planning and Development**

1. Approval of and conformance to the Conditions of Approval for Variances (VAR-33759 and VAR-33760) shall be required, if approved.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan and landscape plan, date stamped 03/10/09; the north and south building elevations, date stamped 03/10/09 and the east and west building elevations, date stamped 03/26/09, except as amended by conditions herein.
4. A Waiver from Title 19.12.040 Perimeter Landscape Buffer standards is hereby approved, to allow zero-foot buffers along the north, west and a portion of the east perimeters.
5. An Exception from Title 19.10.010(J)(11) is hereby approved, to allow eight parking lot trees and landscape islands where 14 are required.
6. The applicant shall work with city staff to determine the most appropriate mapping action necessary to consolidate the three existing parcels. The mapping action shall be completed and recorded prior to the issuance of any building permits.
7. No temporary signs such as banners, pennants, inflatable objects, streamers, flags, outdoor display of products or merchandise or other similar attention gaining items or devices shall be displayed upon the subject property without the appropriate permits.

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8. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall include the following changes from the conceptual landscape plan: Along Las Vegas Boulevard, Wilson Avenue and Encanto Drive, street trees consisting of one 24-inch box size deciduous or evergreen tree, or one 15-foot palm tree shall be provided for every 20 linear feet of street frontage, plus one additional similar sized tree to provide coverage at the end of each planter. Four 5-gallon shrubs shall be provided for each required tree. A total of 16 trees along Las Vegas Boulevard, 10 trees along Wilson Avenue and 11 trees along Encanto Drive, with the associated shrubs, shall be provided to meet the requirement. Within the eight proposed parking lot landscape islands, one 24-inch box size deciduous or evergreen shade tree shall be provided, with four, 5-gallon shrubs for each required tree
9. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
10. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
11. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
13. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
14. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

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15. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

**Public Works**

16. Coordinate with the City Surveyor regarding recordation of a Reversionary Map for this site; comply with the recommendations of the City Surveyor.
17. Dedicate an additional 10 feet of right-of-way for a total half-street width of 50 feet on Las Vegas Boulevard North adjacent to Assessor Parcel Number #139-27-812-009 prior to the issuance of any permits.
18. Dedicate an additional 10 feet of right-of-way for a total radius of 25 feet on the northeast corner of Wilson Avenue and Las Vegas Boulevard North prior to the issuance of any permits. This condition shall be modified if the applicant submits information acceptable to Staff that shows a portion of any existing private signage or building is located on or over the area being requested for dedication.
19. Grant a 10 foot public sewer easement along the east side of Assessor Parcel Numbers #139-27-812-009 and -010 and along the west side of Assessor Parcel Number #139-27-812-016 prior to the issuance of any building permits for this site. No permanent improvements or landscaping over three feet high shall be allowed within the required public sewer easement.
20. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
21. The emergency access gate for the northern driveway shall be relocated to the back of sidewalk to align with the existing fence.
22. All private improvements and landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
23. Contact the City Engineer's Office at 229-6272 to coordinate the development of this project with the Neon Boneyard Park and Cultural Corridor Trail projects and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.
24. Landscape and maintain all unimproved rights-of-way on Wilson Avenue and Las Vegas Boulevard North adjacent to this site.

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25. Submit an Encroachment Agreement for all landscaping and private improvements located in the Wilson Avenue and Las Vegas Boulevard North public rights-of-way adjacent to this site prior to occupancy of this site.
26. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site.

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**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a request for a Site Development Plan Review for a proposed 50-foot, four-story, 34-unit multi-family residential building (apartments) within an existing 136-unit multi-family development (apartments) with Waivers of the perimeter landscape buffer standards to allow buffers of zero feet along the west perimeter where 10 feet is required, and zero feet along the north and a portion of the east perimeters where six feet is required on 1.95 acres at the northeast corner of Wilson Avenue and Las Vegas Boulevard. An Exception is also required as part of this request to allow no parking lot trees and eight landscape islands where 14 of each are required. Associated requests for Rezoning (ZON-33757) from C-2 (General Commercial) to R-5 (Apartment), a Variance (VAR-33759) to allow a zero-foot corner side yard setback where five feet is required and a Variance (VAR-33760) to allow 61 parking spaces where 110 are required have also been submitted. Staff is recommending denial of this request as the number of Variances, Waivers and Exceptions requested indicate that the site, as proposed, will be overbuilt.

**BACKGROUND INFORMATION**

<i><b>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc., and Property Sales</b></i>	
03/05/04	A Code Enforcement complaint (#10773) was processed for various building code issues at 700 N. Las Vegas Blvd. The complaint was resolved on 07/02/04.
08/16/04	A Code Enforcement complaint (#20204) was processed for a fire at an apartment, with no repairs being made at 700 N. Las Vegas Blvd. The complaint was resolved on 01/03/07.
01/19/05	A Code Enforcement complaint (#25229) was processed for leaking plumbing fixtures causing mold and fire damage with no repairs being done at 700 N. Las Vegas Blvd. The complaint was resolved on 01/24/05.
07/27/05	A Code Enforcement complaint (#32967) was processed on a Clark County Health District call for an insect infestation at 700 N. Las Vegas Blvd. The complaint was resolved on 01/19/06.
03/13/06	A Code Enforcement complaint (#39159) was processed for an unstable stairwell at 700 N. Las Vegas Blvd. The complaint was resolved on 03/15/06.
04/11/06	A Code Enforcement complaint (#40073) was processed for no fire extinguishers in the cabinets for Building 4 at 700 N. Las Vegas Blvd. The complaint was resolved on 05/04/06.
07/26/06	A Code Enforcement complaint (#44841) was processed for insects and various building and fire issues at 700 N. Las Vegas Blvd. The complaint was resolved on 08/08/06.

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10/09/06	A Code Enforcement complaint (#46959) was processed for rebar sticking out of a concrete slab at 700 N. Las Vegas Blvd. The complaint was resolved on 10/17/06.
03/01/07	A Code Enforcement complaint (#50914) was processed for mold, insects and no furnishings in a "furnished" apartment at 700 N. Las Vegas Blvd. The complaint was resolved on 04/09/07.
03/01/07	A Code Enforcement complaint (#50916) was processed for mold at 700 N. Las Vegas Blvd. The complaint was resolved on 04/09/07.
03/06/07	A Code Enforcement complaint (#51029) was processed for non-working elevators at 700 N. Las Vegas Blvd. The complaint was resolved on 01/22/08.
03/14/07	A Code Enforcement complaint (#51274) was processed for mold, broken hand rails, and no air conditioning or heat at 700 N. Las Vegas Blvd. The complaint was resolved on 03/20/07.
04/04/07	A Code Enforcement complaint (#51929) was processed for missing appliances, broken plumbing fixtures, insects and no air conditioning or heat at 700 N. Las Vegas Blvd. The complaint was resolved on 04/09/07.
02/08/08	A Code Enforcement complaint (#62177) was processed for an unhealthy living environment (insects) at 700 N. Las Vegas Blvd. The complaint was resolved on 02/12/08.
03/14/08	A Code Enforcement complaint (#63421) was processed for missing appliances, broken plumbing fixtures, insects and no air conditioning or heat at 700 N. Las Vegas Blvd. The complaint was resolved on 03/21/08.
06/10/08	A deed was recorded for a change in ownership.
06/25/08	A Code Enforcement complaint (#67073) was processed for damaged carpet, insects and a broken restroom fan at 700 N. Las Vegas Blvd. The complaint was resolved on 07/09/08.
11/19/08	A Code Enforcement complaint (#72109) was processed for illegal signage and work without permits at 700 N. Las Vegas Blvd. The complaint was resolved on 01/22/09.
12/18/08	The Planning Commission denied requests for a Variance (VAR-29664) to allow a proposed 60-foot tall freestanding sign where 40 feet is the maximum height allowed; to allow six proposed freestanding signs where three is the maximum allowed; to allow a distance separation of less than 100 feet between freestanding sign to freestanding sign and freestanding sign to monument sign where 100 feet is the minimum required and to allow a zero-foot setback where five feet is required for a proposed monument sign; and a Variance (VAR-32024) to allow zero percent exposed neon and or animation where seventy-five percent is required for a proposed monument sign and five proposed freestanding signs on 1.33 acres at the northeast corner of Las Vegas Boulevard and Wilson Avenue. The denial was appealed to the City Council on 01/29/09, but was withdrawn without prejudice at the applicant's request. Staff recommended denial on both requests.
03/12/09	A Code Enforcement complaint (#72109) was processed for illegal signage at 700 N. Las Vegas Blvd. The complaint is still open.

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04/23/09	The Planning Commission, at the request of the applicant, held in abeyance requests for Rezoning (ZON-33757) from C-2 (General Commercial) to R-5 (Apartment); a Variance (VAR-33759) to allow a zero-foot corner side yard setback where five feet is required; a Variance (VAR-33760) to allow 61 parking spaces where 110 are required; and a Site Development Plan Review (SDR-33761) for a proposed 50-foot, four-story, 34-unit multi-family residential building (apartments) within an existing 136-unit multi-family development (apartments) with Waivers of the perimeter landscape buffer standards to allow buffers of zero feet along the west perimeter where 10 feet is required, and zero feet along the north and a portion of the east perimeters where six feet is required on 1.95 acres at the northeast corner of Wilson Avenue and Las Vegas Boulevard.
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<b><i>Related Building Permits/Business Licenses</i></b>	
c. 1977-1978*	Apartments constructed.
11/28/78	A business license (A07-00733) was issued for apartment rentals at 700 N. Las Vegas Blvd. The license is still active.
02/08/94	A building permit (#94318541) was issued for an illuminated pole sign at 700 N. Las Vegas Blvd. The permit expired on 09/03/94.
12/22/94	A building permit (#94361291) was issued to install conduit for fire alarms at 700 N. Las Vegas Blvd. The permit was finalized on 01/11/95.
03/25/96	A building permit (#96392838) was issued for fire alarms at 700 N. Las Vegas Blvd. The permit expired on 11/23/96.
10/17/97	A building permit (#97021168) was issued for 175 feet of chain link fencing at 700 N. Las Vegas Blvd. The permit expired on 08/01/98.
01/28/98	A building permit (#98001809) was issued for the change out of two water heaters at 700 N. Las Vegas Blvd. The permit expired on 08/01/98.
04/01/99	A building permit (#99006230) was issued for 250 feet of decorative wall at 700 N. Las Vegas Blvd. The permit was finalized on 12/28/99.
08/30/99	A building permit (#99017124) was issued for a service change at 700 N. Las Vegas Blvd. The permit expired on 02/26/00.
09/30/04	A building permit (#28010) was issued for disaster repair of Building A at 700 N. Las Vegas Blvd. The permit was completed on 10/08/04.
05/25/06	A building permit (#6003668) was issued for the installation of external stairs at 700 N. Las Vegas Blvd. The permit expired on 06/16/07.
08/09/06	A building permit (#70557) was issued for the relocation of a water line and installation of a water heater at 700 N. Las Vegas Blvd. The permit was completed on 02/11/07.
08/23/06	A building permit (#71380) was issued for disaster repair of Building B, with Building A to be demolished, at 700 N. Las Vegas Blvd. The permit has never been completed.

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12/18/06	A building permit (#6007395) was issued for the demolition of apartments and a sewer fixture count at 700 N. Las Vegas Blvd. The permit expired on 06/16/07.
09/29/08	A building permit (#125128) was issued to replace shower valves at 700 N. Las Vegas Blvd. The permit is still active.
03/10/09	A permit application (#135184) was received for signage at 700 N. Las Vegas Blvd. A permit has not yet been issued.

*\*Building permits were issued in June, 1977 for 102 units with 16 parking spaces, and in February, 1978 for an additional 100 units with 45 parking spaces. A subsequent fire, circa 2004, destroyed one apartment building consisting of 68 units.*

<b><i>Pre-Application Meeting</i></b>	
02/23/09	A pre-application meeting was held to discuss the submittal requirements for a Rezoning, Site Development Plan Review and Variances for parking and building setbacks.

<b><i>Neighborhood Meeting</i></b>	
A neighborhood meeting was neither required nor held for this request.	

<b><i>Field Check</i></b>	
03/19/09	A field check was conducted by staff. The subject site was clean and well maintained. There was non-permitted banner signage and streamers at the site, and a perimeter wall that has not been permitted for the entire length of the wall.

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Gross Acres	1.95 Acres

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Apartments	MXU (Mixed Use)	C-2 (General Commercial)
North	Commercial Shops	MXU (Mixed Use)	C-2 (General Commercial)
	Neon Museum	PF (Public Facilities)	C-V (Civic)
South	Tavern, Shops	MXU (Mixed Use)	C-2 (General Commercial)
East	Single-Family Residences	MXU (Mixed Use)	R-1 (Single Family Residential)
	Neon Museum	PF (Public Facilities)	C-V (Civic)
West	Commercial Shops, Undeveloped	MXU (Mixed Use)	C-2 (General Commercial)



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<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Area Plan</b>			
Downtown North Land Use Plan	X		N*
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Purpose and Overlay Districts</b>			
A-O Airport Overlay District (200 Feet)	X		Y
Las Vegas Boulevard Scenic Byway Overlay District	X		Y**
<b>Trails</b>	X		N*
<b>Rural Preservation Overlay District</b>		X	N/A
<b>Development Impact Notification Assessment</b>		X	N/A
<b>Project of Regional Significance</b>		X	N/A

*\*Pursuant to the Downtown North Land Use Plan, the Las Vegas Boulevard Scenic Byway, located along both sides of Las Vegas Boulevard, shall be developed as an Urban Trail, which is defined as a designated pedestrian route located in an urban area, consisting of widened sidewalks in existing right-of-way corridors. In addition to the 100-foot right-of-way requirement, the plan also requires that an additional 10-foot pedestrian easement be sought from new projects. As the proposed project is to add an apartment building to an existing apartment complex, the additional easement will not be required at this time.*

*\*\*All signage is to be permitted separately; proposed signage will be evaluated for conformance to the Las Vegas Boulevard Scenic Byway Overlay District at the time of building permit review.*

## **DEVELOPMENT STANDARDS**

*Pursuant to Title 19.08, the following standards apply:*

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	7,000 SF	59,193 SF	Y
Min. Lot Width	N/A	220 Feet	Y
Min. Setbacks			
• Front	10 Feet	129 Feet	Y
• Side	5 Feet	41 Feet	Y
• Corner	5 Feet	Zero Feet	N*
• Rear	20 Feet	60 Feet	Y
Min. Distance Between Buildings	Unlimited	80 Feet	Y
Max. Lot Coverage	N/A	30%	Y
Max. Building Height	5 Stories or 55 feet, whichever is less	4 Stories (50 Feet)	Y
Trash Enclosure	Roofed, Gated	Roofed, Gated	Y
Mech. Equipment	Screened	Not Indicated	N**

*\*A Variance (VAR-33759) has been submitted to allow a zero-foot corner side yard setback where five feet is required.*

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*\*\*A condition has been added to require that all proposed mechanical equipment be screened to comply with all provisions of Title 19.08.*

<b>Existing Zoning</b>	<b>Permitted Density</b>	<b>Units Allowed</b>
C-2 (General Commercial)	N/A	N/A
<b>Proposed Zoning</b>	<b>Permitted Density</b>	<b>Units Allowed</b>
R-5 (Apartment)	25+ Units per Acre	N/A
<b>General Plan</b>	<b>Permitted Density</b>	<b>Units Allowed</b>
MXU (Mixed Use)	25+ Units per Acre	N/A

*Pursuant to title 19.12, the following standards apply:*

<b>Landscaping and Open Space Standards</b>				
<b>Standards</b>	<b>Required</b>		<b>Provided</b>	<b>Compliance</b>
	<b>Ratio</b>	<b>Trees</b>		
Parking Area	1 Tree / 6 Spaces	14 Trees	Zero Trees	N*
Buffer:				
• North	1 Trees / 20 Linear Feet	6 Trees	Zero Trees	N**
• South	1 Trees / 20 Linear Feet	7 Trees	7 Trees	Y
• East	1 Trees / 20 Linear Feet	6 Trees	Zero Trees	N**
• West	1 Trees / 20 Linear Feet	16 Trees	16 Trees	Y
<b>TOTAL</b>		35 Trees	23 Trees	N**
Min. Zone Width				
• North	6 Feet		Zero Feet	N**
• South	10 Feet		Zero Feet	N**
• East	6 Feet		Zero Feet	N**
• West	10 Feet		Zero Feet	N**
Wall Height	Not Required		6 Feet	Y

*\*The applicant is requesting an Exception to allow zero parking lot trees and eight landscape islands where fourteen trees and islands are required.*

*\*\*The applicant has requested Waivers to allow a zero-foot landscape buffer along the west perimeter where 10 feet is required, and a zero-foot landscape buffer along the north and a portion of the east perimeters where six feet is required. The zero-foot buffer along the south perimeter is an existing, non-conforming condition.*

*Pursuant to Title 19.10, the following parking standards apply:*

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Apartments (Existing)	136 Units	N/A	61		61		Y*

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Apartments (Proposed)	34 Units	1.25 Spaces per Unit, plus 1 Space per 6 Units	49		Zero		N*
<b>SubTotal</b>			107	3	58	3	N*
<b>TOTAL</b>			110		61		N*
Percent Deviation					45%		

*\*The existing site is considered to be parking impaired, providing 61 spaces for the three existing apartment buildings. Pursuant to Title 19.10.010(C), the parking requirement is calculated for the proposed additional units only. A Variance (VAR-33760) has been submitted to allow 61 parking spaces where 110 are required.*

<b>Waivers</b>		
<b>Request</b>	<b>Requirement</b>	<b>Staff Recommendation</b>
To allow a zero-foot landscape buffer along the west perimeter.	10 Feet	Denial

To allow a zero-foot landscape buffer along the north and a portion of the east perimeters.	6 Feet	Denial
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<b>Exceptions</b>		
<b>Request</b>	<b>Requirement</b>	<b>Staff Recommendation</b>
To allow zero parking lot trees and eight landscape islands.	14 Trees / Landscape Islands	Denial

## **ANALYSIS**

This is a request for a Site Development Plan Review for a proposed 50-foot, four-story, 34-unit multi-family residential building (apartments) within an existing 136-unit multi-family development (apartments) with Waivers of the perimeter landscape buffer standards to allow buffers of zero feet along the west perimeter where 10 feet is required, and zero feet along the north and a portion of the east perimeters where six feet is required on 1.95 acres at the northeast corner of Wilson Avenue and Las Vegas Boulevard. An Exception is also required as part of this request to allow no parking lot trees and eight landscape islands where 14 of each are required.

This proposal will add 34 residential apartment units to the subject site, without providing any additional parking spaces for a site that is already considered to be parking impaired, and

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providing only limited amenities for the residents. The lack of required parking, landscaping and setbacks, resulting in the requests for multiple Variances, Waivers and an Exception, indicate that the site, as proposed will be overbuilt; therefore, staff is recommending denial of this request.

- **General Plan and Zoning**

The subject site has an existing General Plan designation of MXU (Mixed Use), which allows for a mix of uses that are normally allowed within the L (Low Density Residential), ML (Medium Low Density Residential), M (Medium Density Residential), H (High Density

Residential), O (Office), SC (Service Commercial) and GC (General Commercial) Master Plan land use categories.

There is an associated request to Rezone (ZON-33757) the site from the existing C-2 (General Commercial) district to the R-5 (Apartment) district, which is intended to allow for the development of high density multi-family units within the downtown urban core and in other high intensity areas suitable for high density residential development. The R-5 (Apartment) district is consistent with the policies of the H (High Density Residential) category of the General Plan, and is also consistent with the existing MXU (Mixed Use) category.

- **Site Plan**

The site plan indicates that changes will occur in the northwest portion of the site only, with the remaining portions of the site, including the three existing apartment buildings, left as they are. This proposal would add a four-story apartment building and pool area to the northwest corner of the site, and reconfigure the parking and service areas to allow vehicular circulation and functionality. The south driveway to Wilson Avenue will remain, with two driveways added to provide access to the site via Las Vegas Boulevard. The new building will be located at the property line between these driveways, with parking in locations surrounding the building. The location of the building at the property line will require approval of an associated Variance (VAR-33759) to allow a zero-foot setback where five feet is required.

Reconfiguration of the parking and service areas will result in greater functionality for the southern half of the site, including the proposed trash enclosure area, but will create a dead-end situation at the north end of the site where the drive aisle ends abruptly at an emergency crash gate without room for a vehicle to turn around. Both driveways leading to Las Vegas Boulevard have minimal throat depth, with the southern driveway extending into the property seven feet, and the northern driveway extending into the property three feet, and the crash gate located directly on the property line. The minimal throat depth will result in vehicles in the public right-of-way having to wait until any vehicle backing out of a parking space adjacent to the driveway is clear of the drive aisle, creating a back-up of traffic on Las Vegas

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Boulevard. The parking area will have the same number of spaces currently provided on-site, but will add three handicap spaces, including one that is van accessible, that will conform to the provisions of Title 19.10. The existing site is considered to be a parking impaired development, meaning that, at the time of construction, the development met the parking requirement for the intended use, but does not meet the current parking requirements of Title 19.04. Pursuant to Title 19.10.010, “for any remodeling, alteration, or expansion of a parking-impaired development that requires an increase in the number of required parking spaces, including the expansion of existing buildings or the construction of new buildings, only the increased number of parking spaces shall be required.” The increase in the parking requirement for the additional 34 efficiency apartments is 49 spaces; the applicant is requesting a Variance (VAR-33760) to allow 61 parking spaces where 110 spaces are required. In other words, the applicant is proposing to provide no additional parking spaces for the new units, thereby exacerbating the parking situation for a site that is already considered to be parking impaired.

The applicant is proposing to add a 26-foot by 48-foot pool area to the site, at the south end of the new building. This new pool area will be the only on-site recreational amenity for the residents, as there are no other open space areas that could be used for recreation.

- **Landscape Plan**

The landscape plan indicates that seven 24-inch box size Guadalupe Fan Palm trees will be added in planters along Las Vegas Boulevard. The only other proposed landscape material to be added to the site includes 45, five-gallon shrubs, consisting of 20 Mexican Sage and 25 Mormon Tea, and 43, five-gallon Prostate Rosemary plants utilized as ground covers throughout the site.

As part of this request, the applicant is requesting Waivers of the Perimeter Landscape Buffer standards to allow zero-foot buffers along the west, north and a portion of the east perimeters, and an Exception to allow zero parking lot trees and eight landscape islands where 14 of each are required. Staff cannot support the Waivers or the Exception as alternate site design would allow for the required landscaping. In addition, the applicant is providing 10 parking lot landscape islands, and can easily add the required landscape materials to meet the minimum requirements of Title 19.10.

The proposed landscape plan does not depict landscaping in conformance with Title 19.10 and 19.12, and conditions have been added to revise the landscape plan to provide additional materials as follows:

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1. Along Las Vegas Boulevard, Wilson Avenue and Encanto Drive, street trees consisting of one 24-inch box size deciduous or evergreen tree, or one 15-foot palm tree shall be provided for every 20 linear feet of street frontage, plus one additional similar sized tree to provide coverage at the end of each planter. Four 5-gallon shrubs shall be provided for each required tree. A total of 16 trees along Las Vegas Boulevard, 10 trees along Wilson Avenue and 11 trees along Encanto Drive, with the associated shrubs, shall be provided to meet the requirement.
2. Within the eight proposed parking lot landscape islands, one 24-inch box size deciduous or evergreen shade tree shall be provided, with four, 5-gallon shrubs for each required tree.

- **Elevations**

The elevations depict a four-story, 50-foot apartment building finished in stucco, with stone veneer on the first floor as an accent, and will be very similar to the other three existing buildings on the site. Colors include brown and beige, with grey, blue and orange accents. Painted metal railings will be utilized at the front of the balconies on floors two through four.

- **Floor Plan**

The floor plan depicts a four-story apartment building containing 34 efficiency units of approximately 430 square feet each, with an office and laundry room on the first floor. Circulation between units and floors is via external walkways and stairwells.

## **FINDINGS**

The following findings must be made for a SDR:

1. **The proposed development is compatible with adjacent development and development in the area;**

The proposed development is not compatible with adjacent development and development in the area. The existing site is parking impaired, and the addition of residential units without provision for additional parking will exacerbate the issue.

2. **The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;**

The proposed development is consistent with the General Plan, but does not conform to Title 19, as evidenced by the requests for Variances, Waivers and an Exception.

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**3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

The site is accessed by two proposed driveways to Las Vegas Boulevard, designated as a 100-foot Primary Arterial, and one existing driveway to Wilson Avenue, designated as a Local Street by the Master Plan of Streets and Highways. The northernmost driveway on Las Vegas Boulevard is reserved for emergency access only, and will have a crash gate installed on it. Site access and circulation will not negatively impact the adjacent roadways or neighborhood traffic.

**4. Building and landscape materials are appropriate for the area and for the City;**

The building materials are appropriate, and will closely match the existing buildings on the site. The landscape materials, as conditioned, are appropriate for the area and for the city.

**5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;**

The proposed building will be very similar to the three existing apartment buildings on the site, and is harmonious and compatible with development in the area.

**6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.**

The proposed development is subject to permit review and inspection; therefore, appropriate measures will be taken to protect the health, safety and general welfare.

**ASSEMBLY DISTRICT**      6

**SENATE DISTRICT**      10

**NOTICES MAILED**      185

**APPROVALS**      2

**PROTESTS**      5